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October 9, 2002

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OCT 10 2002

Technology Center 2600

Art Unit: 2634

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Utility Patent Application
Appl. No. 09/590,955; Filed: June 9, 2000
For: **Phase Shifting Applications of Universal Frequency Translation**
Inventors: Johnson *et al.*
Our Ref: 1744.0710005/MQL/JTH

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement;
2. A list of the cited documents on Forms PTO-1449 (3 pages);
3. A copy of the twenty-two (22) documents cited on Forms PTO-1449; and
4. Return postcard.

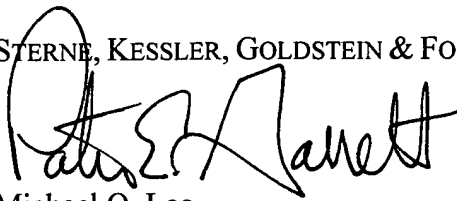
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
October 9, 2002
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

for  39,987
Michael Q. Lee
Attorney for Applicants
Registration No. 35,239

JTH/slw
Enclosures

SKGF_DC1:64092.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 10 2002
Technology Center 2600

In re application of:

Johnson *et al.*

Appl. No. 09/590,955

Filed: June 9, 2000

For: **Phase Shifting Applications of Universal
Frequency Translation**

Art Unit: 2634

Examiner: Ghayour, M.

Atty. Docket: 1744.0710005

First Supplemental Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on July 24, 2002 in connection with the above-captioned application.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

Applicants provide the following comments regarding the documents:

Documents AL19, AM19 and AA50 were cited in an International Search Report in PCT Appl. No. PCT/US01/08969, filed March 22, 2001, entitled, "Integrated Frequency Translation

and Selectivity with a Gain Control Functionality, and Applications Thereof," directed to related subject matter. Also cited in said Search Report were U.S. Patent Nos. 4,888,557 and 5,801,654 and PCT Publication Nos. WO 96/02977 and WO 96/39750, which were cited in Applicants' Information Disclosure Statement filed on July 24, 2002 in connection with the above-captioned application.

Document AJ20 was cited in an Office Action in co-pending Japanese Patent Application Serial No. 2000-577,764, filed June 21, 2000, entitled "Applications of Universal Frequency Translation,". Also cited in said Office Action was Japanese Patent Publication No. 58-133004, which was cited in Applicants' Third Supplemental Information Disclosure Statement filed on July 24, 2002 in connection with the above-captioned application.

Documents AK20, AL20, AJ21, AK21, AI21, AP56 and AQ56 were cited in an International Search Report in PCT Appl. No. PCT/US01/12086, filed April 13, 2001, entitled, "Frequency Converter," directed to related subject matter. Also cited in said International Search Report was U.S. Patent No. 5,844,449, which was cited in Applicants' Information Disclosure Statement filed on July 24, 2002 in connection with the above-captioned application.

Document AC49 was cited by in an Office Action in co-pending U.S. Patent Application Serial No. 09/489,675, filed January 24, 2000, entitled "Bar Code Scanner Using Universal Frequency Translation Technology for Up-Conversion and Down-Conversion," directed to related subject matter. Also cited in said Office Action was U.S. Patent No. 6,091,940, which was cited in Applicants' Information Disclosure Statement filed on July 24, 2002 in connection with the above-captioned application.

Documents AD49-AI49 were cited in an Office Action in co-pending U.S. Patent Application Serial No. 09/476,092, filed January 3, 2000, entitled "Analog Zero IF FM Decoder

and Embodiments Thereof, Such as the Family Radio Service," directed to related subject matter.

Document AB50 is a copy of co-pending U.S. Patent Application No. 09/796,824, filed March 2, 2001, entitled "Phased Array Antenna Applications of Universal Frequency Translation," which is directed to related subject matter. In the copy provided, the claims are shown as amended on September 18, 2002.

This statement should not be construed as a representation that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☒ 1. This Information Disclosure Statement is being filed before the mailing of a first action on the merits. No statement or fee is required.
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
 - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- ☐ c. Attached is our Check No. _____ in the amount of _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. A separate Petition to the Group Director, requesting consideration of this Information Disclosure Statement, is concurrently submitted herewith, along with our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(i).
- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 4. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☒ 5. Concise explanations of relevance of non-English language documents AJ20, AK20, AL20 and AK21 appear below:
- Document AJ20 (JP 60-130203) appears to describe a frequency converter. A copy of the English-language abstract of document AJ20 is enclosed as document AO56 on the attached PTO-1449.
- Document AK20 (DE 196 27 640 A1) appears to describe a mixer. Document AK20 is a counterpart German application of U.S. Patent No. 5,680,078, which was

cited in Applicants' Information Disclosure Statement filed on July 24, 2002 in connection with the above-captioned application.

Document AL20 (EP 0 087 336 A1) appears to describe a transistorized mixer for microwave transmitters. The granted version of document AL20 is cited as document AM20 (EP 0 087 336 B1) and contains an English-language version of the claims.

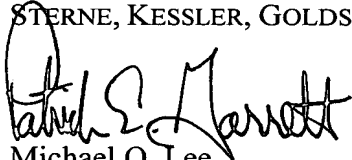
Document AK21 (FR 2 669 787 A1) appears to describe a symmetrical super high frequency mixer. A copy of the English-language abstract of document AK21 is enclosed as document AR56 on the attached PTO-1449.

- ☐ 6. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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Date: 10/9/02

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